



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION

445 TWELFTH STREET, S.W.

WASHINGTON, D.C. 20554

DA 03-3877

News media information 202/418-0500 Fax-On-Demand 202/418-2830 Internet: <http://www.fcc.gov> <ftp.fcc.gov>

Released: December 5, 2003

UNITED STATES CELLULAR CORPORATION AND AT&T WIRELESS SERVICES, INC. SEEK FCC CONSENT TO ASSIGN CELLULAR AND MICROWAVE LICENSES

WT Dkt. No. 03-243

PLEADING CYCLE ESTABLISHED

Petitions Due:	January 5, 2004
Oppositions Due:	January 15, 2004
Replies Due:	January 23, 2004

Subsidiaries of United States Cellular Corporation (“USCC”) and Houston MTA, L.P. (“Houston MTA”), a wholly-owned subsidiary of AT&T Wireless Services, Inc. (“AWS”), have filed three applications pursuant to Section 310(d) of the Communications Act of 1934, as amended,¹ seeking Commission consent to the assignment of cellular and related microwave licenses in various markets in southern Texas (“Markets”) from USCC to Houston MTA. Post-transaction, AWS will have interests in 35 MHz to 65 MHz of Commercial Mobile Radio Services (“CMRS”) spectrum in these Markets.² Upon consummation of this transaction, USCC will exit these Markets and the current USCC customers will be transitioned to AWS. AWS intends to provide the USCC customers in these Markets with a minimum of 30-days notice prior to making any changes to customer accounts or rate plans.

¹ 47 U.S.C. § 310(d).

² AWS will have interests in 35 MHz of CMRS spectrum in the Brownsville-Hartigen, TX MSA (CMA162), 45 MHz in the McAllen-Edinburg-Mission, TX MSA (CMA 128), 55 MHz in the Laredo, TX MSA (CMA281), and 65 MHz in the Corpus Christi, TX MSA (CMA112) and the Victoria, TX MSA (CMA 300). In the Texas 18 – Edwards RSA (CMA669), AWS will have interests in 35 MHz of CMRS spectrum in Bandera, Medina, Real, and Uvalde Counties; 50 MHz in Edwards County; 55 MHz in La Salle County; and 60 MHz in Dimmit, Kinney, Maverick, Val Verde, and Zavala Counties. In the Texas 19 – Atascosa RSA (CMA670), AWS will have interests in 35 MHz of CMRS spectrum in Atascosa, McMullen, and Willacy Counties; 45 MHz in Starr County; 55 MHz in Jim Hogg and Zapata Counties; and 65 MHz in Brooks, Duval, Jim Wells, Kenedy, Kleberg, and Live Oaks Counties. In the Texas 20 – Wilson RSA (CMA671), AWS will have interests in 35 MHz of CMRS spectrum in Karnes and Wilson Counties; and 65 MHz in Aransas, Bee, Calhoun, DeWitt, Goliad, and Refugio Counties. The CMRS spectrum amounts listed for some CMAs and counties include spectrum held by companies, ABC Wireless, L.L.C. and Lewis and Clark Communications, in which AWS holds interests.

I. SECTION 310(d) APPLICATIONS

The following applications seek consent to the assignment of eight cellular licenses, along with the ancillary microwave authorizations, that were granted pursuant to Part 22 and Part 101 of the Commission's rules, respectively. The applications have been assigned the file numbers indicated below:

<u>File Number</u>	<u>Assignor</u>	<u>Lead Call Sign</u>
0001527789 ³	Texas #20 Rural Cellular, Inc.	WLT584
0001527800	USCOC of Corpus Christi, Inc.	WLR490
0001527804	Victoria Cellular Corporation	WLR448

II. GENERAL INFORMATION

The assignment applications referenced herein have been found, upon initial review, to be acceptable for filing. The Commission reserves the right to return any application if, upon further examination, it is determined to be defective and not in conformance with the Commission's rules or policies.

Final action on these applications will not be taken earlier than thirty-one days following the date of this Public Notice.⁴ Interested parties may file comments or petitions to deny no later than **January 5, 2004**. Persons and entities that file petitions to deny become parties to the proceeding. They may participate fully in the proceeding, including seeking access to any confidential information that may be filed under a protective order, seeking reconsideration of decisions, and filing appeals of a final decision to the courts. Persons and entities that file comments will have those comments considered but do not become parties to the proceeding and may not be able to participate as fully as petitioners. Oppositions to such pleadings may be filed no later than **January 15, 2004**. Replies to such pleadings may be filed no later than **January 23, 2004**. All filings concerning matters referenced in this Public Notice should refer to **DA 03-3877** and **WT Docket No. 03-243**, as well as the specific file numbers of the individual applications or other matters to which the filings pertain.

Under the Commission's current procedures for the submission of filings and other documents,⁵ submissions in this matter may be filed electronically (*i.e.*, by the Commission's Electronic Comment Filing System ("ECFS")) or by hand delivery to the Commission's Massachusetts Avenue location.

- **If filed by ECFS,**⁶ comments shall be sent as an electronic file via the Internet to <http://www.fcc.gov/e-file/ecfs.html>. Generally, only one copy of an electronic submission must be filed. If multiple docket numbers appear in the caption of this proceeding, however,

³ ULS File No. 0001527789 has been designated as the lead application, and all pleadings and other submissions filed in this matter that pertain generally to the transaction and not to a particular application will be available through this file number.

⁴ See 47 U.S.C. § 309(b).

⁵ See Implementation of Interim Electronic Filing Procedures for Certain Commission Filings, *Order*, FCC 01-345 (rel. Nov. 29, 2001); see also FCC Announces a New Filing Location for Paper Documents and a New Fax Number for General Correspondence, *Public Notice*, DA 01-2919 (rel. Dec. 14, 2001).

⁶ See Electronic Filing of Documents in Rulemaking Proceedings, 63 Fed. Reg. 24,121 (1998).

commenters must transmit one electronic copy of the comments to each docket number referenced in the caption. In completing the transmittal screen, commenters should include their full name, Postal Service mailing address, and the applicable docket number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to ecfs@fcc.gov, and should include the following words in the body of the message, "get form <your e-mail address>." A sample form and directions will be sent in reply.

- **If filed by paper**, the original and four copies of each filing must be filed by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). The Commission's contractor, Natek, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, SW, Washington, D.C. 20554. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

One copy of each pleading must be delivered electronically, by e-mail or facsimile, or if delivered as paper copy, by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (according to the procedures set forth above for paper filings) to: (1) the Commission's duplicating contractor, Qualex International, at qualexint@aol.com or (202) 863-2898 (facsimile); (2) Kathy Harris, Mobility Division, Wireless Telecommunications Bureau, kathy.harris@fcc.gov or (202) 418-7447 (facsimile); (3) Erin McGrath, Spectrum and Competition Policy Division, Wireless Telecommunications Bureau, at erin.mcgrath@fcc.gov or (202) 418-7447 (facsimile); and (4) Susan Singer, Spectrum and Competition Policy Division, Wireless Telecommunications Bureau, at susan.singer@fcc.gov or (202) 418-7447 (facsimile).

For further information, contact Erin McGrath, Spectrum and Competition Policy Division, Wireless Telecommunications Bureau, at (202) 418-7240.

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